

REMARKS

At the time of the Office Action dated January 3, 2003, claims 1-8 were pending. In response, claims 1 and 7 have been amended, claims 2 and 3 have been cancelled, and claim 9 has been added. Care has been exercised to avoid the introduction of new matter.

Specifically, claim 1 has been amended to include all the limitations recited in claim 3 and the limitations "a power supply circuit for supplying an alternating current to said power feed coil, and a power receiving circuit for receiving said alternating current through said power receiving coil to rectify the received current for a sensor." This amendment to claim 1 finds adequate descriptive support throughout the originally filed disclosure, for example, in the third full paragraph at page 7. Claim 7 has also been amended to improve wording but the claimed scope is not narrowed thereby for any reason relating to patentability. New claim 9 is the independent form of claim 7 including all the limitations recited in independent claim 1, upon which claim 7 depends.

Amendments to the Drawings.

After reviewing the drawings, Applicants note that the arrow placed between A/D CONVERTER 67 and SENSOR SIGNAL (Analog) in Fig. 7 is directed in the opposite direction and needs to be corrected. Accordingly, corrected Fig. 7, is attached.

Specification objections.

In the second enumerated paragraph of the Office Action, the Examiner asserted that the recitation "Upon the rotating drive of inner ring 13" (page 5, line 13) makes no sense. In

response, Applicants have amended the relevant portion in the specification to improve wording, as attached. Therefore, Applicants solicit withdrawal of the specification objections.

Claims 1-8 have been rejected under 35 U.S.C. §112, second paragraph.

The Examiner asserted that claims 1, 2 and 7 include indefinite language. At first, Applicants note that the rejection of claims 2 and 3 has been rendered moot by cancellation of the claims.

In response to this rejection, Applicants have amended claims 1 and 7 to improve wording, as attached. Applicants, therefore, request the Examiner to consider the amendment, and solicit withdrawal of the rejection of claims 1-8.

In addition, the Examiner noted in the ultimate sentence of page 2 of the Office Action that he did not compare claim 7 with the prior art and that claim 7 would be examined when it is amended to overcome this rejection. With respect to this assertion, it is submitted that this is an improper position to have taken, as claim 7, although awkward, is understandable.

Claims 1, 2, 5 and 8 have been rejected under 35 U.S.C. §102(b) as being anticipated by Guers.

In the statement of the rejection, the Examiner asserted that Guers discloses a roller bearing with contactless transmission of electric signals identically corresponding to those claimed.

Applicants note that the rejection of claim 2 has been rendered moot by cancellation of the claim.

In response to this rejection, Applicants have amended claim 1 to include all the limitations recited in claim 3 and the other limitations, as attached. Based on this amendment, Applicants believe that all the limitations of claims 1, 5 and 8 are not disclosed in Guers. Therefore, applicants respectfully solicit consideration of claims 1, 5 and 8 and withdrawal of the rejection thereof.

Claims 3 and 4 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Guers in view of Laros.

In the statement of the rejection, the Examiner admitted that Guers does not teach corresponding coils and cores on the opposed stationary part. Then, the Examiner cited Laros, asserting that it teaches a rotary transformer including rotating and stationary coil 21 and cores 3 and 5. The Examiner thus concluded that it would have been obvious to modify the teaching of Guers based on that of Laros to arrive at the claimed invention.

In response to the rejection, the Applicants have canceled claim 3, and amended claim 1 so as to include the limitations recited in claim 3 and the other new limitations. The relevant limitations of amended claim 1 are reproduced below:

a power generation circuit generating power between said rotary shaft and said fixed shaft, said power generation circuit comprising a power feed coil wound around a yoke provided at said fixed shaft, and a power receiving coil wound around a yoke provided at said rotary shaft, wherein a magnetic path is formed between the yoke of said fixed shaft and the yoke of said rotary shaft to provide a current flow to said power receiving coil,

a signal transfer circuit configured to be responsive to the power generated by said power generation circuit to transfer a signal from said rotary shaft to said fixed shaft,
a power supply circuit for supplying an alternating current to said power feed coil,
and

a power receiving circuit for receiving said alternating current through said power receiving coil to rectify the received current for a sensor.

Applicants believe that the above limitations are not disclosed in Guers and Laros, either individually or in combination. *See In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

In addition, Applicants respectfully request the Examiner to consider whether Guers and Laros, either individually or in combination, disclose the concept of supplying power "independent of the number of revolutions" by using AC current. This is one of features to be accomplished by amended claim 1 (see page 6, lines 4-9 of the specification). Applicants believe that both the references do not disclose such a concept.

Therefore, applicants respectfully solicit consideration of amended claim 1 including claim 3, as well as dependent claim 4.

Claim 6 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Guers in view of Rawski.

As discussed above, Applicants have amended independent claim 1 upon which dependent claim 6 depends. Applicants believe that claim 1 should be patentable, and therefore, solicit withdrawal of the rejections of claim 6.

New Claim 9.

Applicants note that newly added claim 9, including all the limitations recited in claims 1 and 7, has been prepared so as not to include indefinite language in conformity with the amendment made to claims 1 and 7. Applicants therefore solicit immediate allowance of claim 9.

09/982,791

Conclusion.

It should, therefore, be apparent that the imposed rejections have been overcome and that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Stephen A. Becker
Registration No. 26,527

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 SAB:TT:khh
Facsimile: (202) 756-8087
Date: *APRIL 1*, 2003